Los Angeles County Sheriff's Department

Officer Involved Shooting

[redacted]

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
07/01/15	Century Station/ Operation Safe Streets (GET)	[ ]	[x]

Incident Information

URN: 014-01373-2138-055	Date: 01/26/14 Time: 2311 hours
City or Station: Century Station	Nature of Incident: Suspect was shot after leading deputies on a vehicle pursuit, brandishing a handgun, while using his own [redacted] as a shield, and shooting at deputies.
Location: [redacted] E. 126th Street Compton (Willowbrook Area)	

Location Type (check one or more):
- [ ] Backyard
- [ ] Beach
- [ ] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [x] Residence
- [ ] Rural
- [ ] School
- [ ] Street
- Other:

Lighting (check only one):
- [x] Darkness
- [ ] Daylight
- [ ] Other
- [ ] Street Lights

Weather (circle only one):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: 35-50 feet

Total # of Shots Fired by Deputy: 25

Total # of Shots Fired by Suspect: 3

Incident Type (check one or more):
- [ ] Accidental
- [x] Armed Person
- [x] Fleeing Suspect
- [ ] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [x] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other:

Initiated by (check only one):
- [ ] Arrest Warrant
- [ ] Call
- [x] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (check only one):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Aero Unit? [x] Canine Unit? [ ]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Boling	Gregory	P.	[x] EM [ ] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Guerrero	Raul	C.	[x] EM [ ] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Martinez	Edward	V.	[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Addres [redacted]	City [redacted]	Zip [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Addres [redacted]	City [redacted]	Zip [redacted]	W [redacted]	Home Ph [redacted]	
Last Name		First Name		M.I.	
Street Address	City	Zip Code	Work Ph	Home Ph	

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Banks	Sean	D.	[x] On Duty [x] Present during shooting [ ] Witness to shooting [ ] Involved in shooting
				[ ] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Bowley	Jason	R.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

PSTD Use Only
SH # 2349925

SH-R-438A (rev. 04/18/13)

See Reverse

Officer Involved Shooting
Involved Employee Information

URN: 014-01373-2138-055

Involved Employee

E 1

Employee # [redacted]	Last Name: De La Torre	First Name: Carlos	M.I.: G.
Sex: M Race: H	Rank: Deputy	Unit Assignment: CEN	Work Assignment (Unit #, Module, etc.): 212T2
ShiftTime (*circle only one*): [ ] EM [x] PM [ ] Day	ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [x]
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 509	Weight: 190		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm # Shots: 3	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Salazar	First Name: Edson	M.I.: R.
Sex: M Race: H	Rank: Deputy ([redacted]	Unit Assignment: CEN	Work Assignment (Unit #, Module, etc.): 216E/P
ShiftTime (*circle only one*): [ ] EM [x] PM [ ] Day	ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [x]
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 511	Weight: 190		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Remington	Caliber: 12ga. # Shots: 2	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 3

Employee # [redacted]	Last Name: Coberg	First Name: Michael	M.I.: D.
Sex: M Race: W	Rank: Deputy	Unit Assignment: OSS/GET	Work Assignment (Unit #, Module, etc.): OSSG1
ShiftTime (*circle only one*): [ ] EM [x] PM [ ] Day	ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [x]
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [x] Raid Jacket w/ Vest [ ] Uniform no Vest [ ] Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 601	Weight: 230		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [x] Number of Prior Shootings: 3 Directed Force: [redacted]
Weapons Fired Brand: Smith & Wesson	Caliber: 9mm # Shots: 8	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

See Other Side

Officer Involved Shooting
Involved Employee Information

URN: 014-01373-2138-055

Involved Employee

E 4

Employee # [redacted] | Last Name: Vavakin | First Name: Nikolai | M.I.: nmn

Sex: M | Race: W | Rank: Deputy | Unit Assignment: OSS/GET | Work Assignment (Unit #, Module, etc.): OSSG1

ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day | ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☑

Hrs of sleep prior to shooting: 8 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☑ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: 607 | Weight: 250

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: Sig Sauer | Caliber: 9mm | # Shots: 12 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] | Last Name: [redacted] | First Name: [redacted] | M.I.: [redacted]

Field Training Officer Emp # [redacted] | Last Name: [redacted] | First Name: [redacted] | M.I.: [redacted]

E

Employee # | Last Name: | First Name: | M.I.:

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber: | # Shots: | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # | Last Name: | First Name: | M.I.:

Field Training Officer Emp # | Last Name: | First Name: | M.I.:

E

Employee # | Last Name: | First Name: | M.I.:

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber: | # Shots: | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # | Last Name: | First Name: | M.I.:

Field Training Officer Emp # | Last Name: | First Name: | M.I.:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]
Street Address	**Zip Code / Work Ph / Home Ph**	
[redacted]	[redacted]	
Last Name	**First Name**	**M.I.**
[redacted]	[redacted]	[redacted]
Street Address	**Zip Code / Work Ph / Home Ph**	
[redacted]	[redacted]	

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Labinpuno	Vince	S.	11703 S. Alameda Street Lynwood	90262	323 568-4800	N/A
Perez	Daniel	nmn	11703 S. Alameda Street Lynwood	90262	323 568-4800	N/A
Rubio	Jesus	G.	11703 S. Alameda Street Lynwood	90262	323 568-4800	N/A

Officer Involved Shooting
Suspect Information

URN: 014-01373-2138-055

Suspect Information

S 1

Last Name: Garcia		First Name: Felipe	M.I. nmn
AKA Last Name		First Name	M.I.
Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 44 D.O.B. 08/23/70	Height: 505 Weight: 180	FBI # [redacted]	CII # [redacted]
Booking # 3853770	Primary Charge: 664/187 (A) P.C.	Secondary Charge: 245 (D)(1) P.C.	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☑	Substance Used: Alcohol
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Honda		Model: Accord	Year: 1991

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

Officer Involved Shooting

URN: 014-01373-2138-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01/26/14	0200 hours	07/01/15	

Employee #	Last Name	First Name	M.I.
[redacted]	Bracken	Sonja	M.
[redacted]	Martin	Daniel	W.
[redacted]	Mauldin	Donnie	L.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1-E#4	FH	SW	.38			NN	
E#1	S#1	FH	BR	9mm	Y	Y	GS	LE
E#2	S#1	FS	RM	12	Y	Y	GS	AD
E#3	S#1	FH	SW	9mm	Y	Y	GS	AD
E#4	S#1	FH	SS	9mm	Y	Y	GS	AD

See Front Side

Investigative Summary

Incident: Deputy Involved Hit Shooting
LASD Report: 014-01373-2138-055
IAB File: SH2349925

Opening Statement

On January 26, 2014, IAB investigators Sergeants Sonja Bracken, Daniel Martin, Jose Uribe, and Lieutenant Donnie Mauldin (now [redacted], responded to a command post erected by Century Station personnel in regards to a Deputy Involved Hit Shooting in the city of Compton (Willowbrook area). Investigators were given a briefing by Homicide detectives regarding the incident. Sergeant Sonja Bracken was assigned the Shooting Review.

Synopsis

On January 26, 2014, at approximately 2211 hours, Century Station personnel were dispatched to [redacted] in response to an assault with a deadly weapon, gunshot victim call, Incident #CEN14026-0265. Deputies Edward Martinez and his partner Jesus Rubio (Unit 213E/E), were assigned to handle the call. They initiated a crime broadcast for the named suspect, Felipe Garcia, who had left the location in a blue Honda Accord. Deputies Rafael Cardenas and Jaime Fernandez (Unit 213H/E) obtained Garcia's home address of [redacted] As they arrived in the area of Garcia's home, they observed Garcia driving his Honda Accord, without any lights on. Cardenas and Fernandez attempted to conduct a traffic stop on the vehicle. Garcia did not yield and a vehicle pursuit was initiated. During the pursuit, it was learned that Garcia possibly had his [redacted] in the vehicle. The pursuit was downgraded to surveillance mode by Century Station's on-duty Watch Commander Lieutenant [redacted] Garcia led deputies back to 126th Street, the original location of the gunshot victim call. Garcia stopped his vehicle in the middle of the street on 126th Street, just east of Willowbrook Avenue.

> **IAB Note**: The vehicle pursuit packet completed by Lieutenant [redacted] was included in this case.

Suspect Garcia exited the vehicle, retrieved [redacted] from the back seat, and clearly displayed a handgun in his right hand. Garcia ignored several orders to surrender and appeared to use [redacted] as a human shield. As he walked east on 126th Street, Garcia pointed the handgun toward deputy personnel several times.

Several deputies, along with Sergeant Sean Banks, used a patrol vehicle as rolling cover, as they followed him. Garcia then proceeded north into the driveway of the primary location, still holding [redacted] and the handgun.

Deputies who were at the original crime scene had been alerted to Garcia's arrival. Those deputies took position on the west side of a white stake bed truck, which was parked in the driveway. Garcia appeared to notice those deputies because he pointed his handgun at them. Deputy [redacted] attempted to stop Garcia's north progression by firing two rounds at him with a stunbag shotgun. Those rounds did not strike Garcia, and he continued north in the driveway. Garcia arrived at a porch (west side) of the location and attempted to make entry into the house. Garcia then pointed his weapon at deputy personnel and fired one round. Deputies did not return fire at that time. Garcia proceeded to the front of the location (south side), still holding [redacted] and the handgun. He fired a second round toward deputy personnel. Again deputies did not return fire. At some point, Garcia sat [redacted] down on the porch and someone from inside the home was able to grab him and pull him inside the house. Garcia again raised his weapon in the direction of deputy personnel. Fearing for their own safety, as well as their partner's safety, Century Deputies Edson Salazar (currently assigned to [redacted] and Carlos De La Torre, as well as Operation Safe Streets (OSS) Deputies Michael Coberg and Nikolai Vavakin fired their handguns at Garcia. Garcia sustained several gunshot wounds to his body. After he was examined and stabilized by paramedics, Garcia was transported to Saint Francis Medical Center.

Lieutenant Mauldin checked to see that Lieutenant [redacted] took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons, attorneys and/or representatives, prior to being interviewed by the assigned investigators. He also ensured that the involved deputies and witness personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Mauldin checked to see if Lieutenant [redacted] attempted to have involved and witness personnel gather in the company of a supervisor until they had provided a statement to the assigned investigators.

This Deputy Involved Hit Shooting incident was investigated and documented by homicide detectives. For more information, see the homicide investigation book and the Los Angeles County District Attorney's Letter of Opinion in **Exhibit A**.

> **IAB Note**: According to the radio traffic during the incident, the following Departmental, as well as other resources, had been summoned to the scene: Special Enforcement Bureau (SEB), Crisis Negotiations Team (CNT), Sheriff's Helicopter/Air-22, and the LA County Fire Department were staged; however, SEB and CNT had not arrived prior to the deputy involved shooting. Additionally, Century Station desk personnel were in contact with the people inside the primary residence and there was discussion about beginning the evacuation of the surrounding residences. (Refer to the DVD provided with **Exhibit A)**.

Involved Personnel

Deputy Carlos De La Torre #[redacted]
Century Station

Work History

Date of Employment:	01/2005
Date Assigned to Patrol (CEN):	05/2012
Date Completed Patrol Training:	[redacted]
Date Assigned to Century Station:	05/2012
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incident(s):	

Deputy Edson Salazar #[redacted]
Century Station (currently with [redacted]

Work History

Date of Employment:	01/2005
Date Assigned to Patrol (CEN):	10/2007
Date Completed Patrol Training:	[redacted]
Date Assigned to Century Station:	10/2007
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incident(s):	

Deputy Michael Coberg #[redacted]
Operation Safe Streets/Gang Enforcement Detail

Work History

Date of Employment:	06/2003
Date Assigned to Patrol [redacted]	[redacted]
Date Completed Patrol Training:	
Date Assigned to OSS/GET:	02/2010
Prior Shooting Incident(s):	3 (04/2009, 09/2009, 11/2012)
Prior Founded Force Incident(s):	[redacted]

Deputy Nikolai Vavakin #[redacted]
Operation Safe Streets/ Gang Enforcement Detail

Work History

Date of Employment:	01/2008
Date Assigned to Patrol [redacted]:	[redacted]
Date Completed Patrol Training:	
Date Assigned to OSS/GET:	04/2012

Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s):

Suspect

Garcia, Felipe, MH/08-23-70, 5'05", 180 lbs., AKA: "Travieso" or "Trouble," [redacted] Garcia was unemployed.

Suspect Garcia had a lengthy criminal history which included arrests and convictions for: [redacted] Refer to **Exhibit A, pages 162- 184** for more details.

Seventeen felony charges were filed against Suspect Garcia which included: The attempted murder of [redacted] attempted murder upon a peace officer, assault with a firearm upon a peace officer, other weapons charges, and child abuse. Refer to **Exhibit A, pages 239-249** for a more detailed listing of the charges lodged against Garcia.

Deputy Witnesses

Homicide investigators interviewed several deputies in the hours immediately following the incident. A summary of their interviews can be found in the homicide investigation book, ***Exhibit A*** *(refer to the end of each interview summary for specific page numbers). The assigned IAB investigator reviewed each audio recording of said interviews as provided by Homicide Bureau, as well as, a summary of each interview. Per Department protocol, none of the deputies who fired any type of firearm authored a report regarding the incident.*

The witnesses listed below each essentially provided like accounts of the events, based on their positions. At the time of the incident, each witness saw Garcia holding [redacted] and a handgun, and appeared to use [redacted] as a shield. Garcia fired his handgun at deputies, and would not obey the commands to release [redacted] or to put the handgun down and surrender. The summaries below were smaller excerpts taken from Homicide Bureau interviews.

Deputy Gregory Boling, along with his partner Deputy [redacted] joined the pursuit of Garcia when it was in surveillance mode. Once they arrived on 126th Street, Boling took position in the passenger seat of the patrol vehicle which was being used by deputies as rolling cover. He saw Garcia holding [redacted] with one hand and had a handgun in the other. As they followed Garcia east on 126th Street, Boling saw Garcia turn around two to three times, and point a handgun at deputies.

As Garcia moved north on the driveway at [redacted] Boling took a position at the west side of a white stake bed truck parked on the driveway of the location. He said approximately six other deputies were utilizing the same truck for cover. Boling was standing at the rear portion of the truck when he heard Garcia fire one round from his handgun. A tactical plan was formulated and Boling was assigned to man the taser, if needed to effect an arrest or subdue Garcia. Shortly thereafter, Boling heard the Sheriff's helicopter announce that Garcia was no longer holding [redacted] As he worked his way around to the east side of the truck, Boling heard a second shot fired by Garcia; at which point deputies returned fire. Boling did not shoot, but heard several rounds being fired just west of him. He was then assigned as part of the arrest team who approached and handcuffed Garcia. Boling estimated the incident lasted approximately fifteen minutes. He recalled hearing several commands given to Garcia by ground units, and from the helicopter above. He did not hear any responses from Garcia. For more details, refer to **Exhibit A, pages 69-70 and his Homicide interview transcript.**

At the time of the incident, Boling was assigned as [redacted] Based on the fact, [redacted] fired a stunbag shotgun during the incident, Boling was interviewed by this IAB investigator. He was questioned about any instructions he or others gave to [redacted] his knowledge of [redacted] whereabouts, as well as, his knowledge about [redacted] firing the stunbag shotgun during the incident.

On May 6, 2015, Deputy Boling was interviewed by this IAB investigator at Century Station. At the time of the incident Boling had been a [redacted] for approximately [redacted] He confirmed he had been [redacted] for approximately [redacted] when the incident occurred. During the approximate [redacted] he had discussed various tactics, scenarios, and Department policies, including the use of the stunbag shotgun with [redacted] Up until the time of the incident, he and [redacted] had not encountered any major high-risk situations.

On the night of the incident, he and [redacted] arrived on 126th Street at the termination of the vehicle pursuit. Garcia was not complying with commands during the felony traffic stop. Boling recalled Sergeant Banks being on scene, and he believed Deputy Cardenas was the initiating unit in the vehicle pursuit. Boling instructed [redacted] to retrieve the stunbag shotgun as they exited their patrol car. [redacted] and Boling approached the lead patrol cars together in order to take a position for the felony traffic stop. As Garcia began walking east, Boling recalled there were two patrol cars following behind him. Boling and Banks were in the patrol car which traveled along the north curbline. He did not know who was in the second patrol car, which traveled along the south curbline. Deputies primarily used the second patrol car as cover, but he believed deputies were also using the north patrol car as additional cover.

> **IAB Note:** All other personnel who were interviewed except for Sergeant Banks, recalled deputies following behind only one patrol car and using it as cover.

As the patrol vehicles came to a stop at the primary location, Deputy Boling recalled telling [redacted] to take a position behind one of the pillars at the mouth of the driveway. He did not give [redacted] any specific instructions about firing the stunbag shotgun.

Deputy Boling heard Sergeant Banks ask about an AR-15 rifle, but he (Boling) was not certain if an AR-15 rifle was ever deployed by Banks. Boling took position on the west side of the white stake bed truck in the driveway, along with four to five other deputies. At some point, while on the side of the white truck, Martinez designated him (Boling) as the X-26 taser-less lethal option. Deputy Boling was on the west side of the truck, near the taillight when he heard shots being fired. While looking through meshing on the truck, he saw what appeared to be muzzle flash coming from Garcia's handgun. He did not see any deputies firing their weapons. He was not aware of the deputies positioned on the rooftop to the west, until he heard a shotgun being fired from that direction and saw Garcia was down.

> **IAB Note:** During this interview, Boling was shown crime scene photographs; however, due to him being in continuous motion, north and south along the west side of the white stake bed truck in the driveway, he was not able to mark any specific locations on the photograph.

During the vehicle pursuit, he broadcasted over the radio that Garcia appeared to be returning to the original location and Boling was concerned for Martinez' and Rubio's safety. He was aware they were still at the original crime scene location. He was also concerned for [redacted] safety and his mindset was to end the problem without [redacted] being harmed. Boling was not aware [redacted] had fired the stunbag shotgun, until afterwards, when he discussed it with [redacted] Boling said he debriefed the use of the stunbag shotgun with [redacted] but could not recall the details of the discussion. He asked [redacted] why he fired, but he could not recall his answer.

Deputy Boling was aware the fire department had staged and was ready to respond at the termination of the incident. Boling was part of the arrest team after the shooting stopped and was the deputy who actually handcuffed Garcia. There was no Cardio Pulmonary Resuscitation (CPR) or first aid performed on Garcia by any deputy personnel. Garcia was moving and it was unknown if he had any life threatening injuries. The fire department was on scene within minutes immediately after the shooting. In Boling's Departmental experiences, he felt the situation was difficult because Garcia's actions were unpredictable. He believed deputy personnel showed restraint, good tactical positioning, and the results were the best outcome they could have had in the situation. For more details, refer to **Boling's IAB interview transcript**.

Deputy Raul Guerrero and his partner Deputy Vince Labinpuno heard the broadcasted description of Garcia via Sheriff's radio, and began looking for him. Guerrero and Labinpuno arrived on 126th Street after Garcia had stopped his vehicle. He and his partner were part of the deputies who followed Garcia east on 126th Street, while using a patrol vehicle for cover. Garcia was holding [redacted] with his left hand and a handgun in his right hand. As Garcia entered the driveway at [redacted] Guerrero and other deputies moved to the west side of a white stake bed truck in the driveway.

Suspect Garcia pointed his handgun toward him and the other deputies and fired one round. No deputies returned fire at that time. Garcia moved to the front door of the location and fired a second round. Again, no deputies fired back. Deputy Guerrero heard the Sheriff's helicopter announce Garcia was no longer holding [redacted] but then heard them broadcast Garcia was walking in their direction, and pointing the handgun toward them. He heard another shot come from the area where Garcia was last seen standing, and then heard several deputies return fire. Although throughout the incident, Guerrero said he was scared for his life and the lives of his partners, he did not fire his weapon. After the shots were fired, he approached Garcia as he laid on the ground. Guerrero saw a revolver with wooden grips on the ground next to Garcia. For additional details, refer to **Exhibit A, pages 70-72**. Guerrero's Homicide interview was not transcribed, however can be found under Dictaphone job #44117.

Deputy Edward Martinez and his partner Deputy Jesus Rubio were the handling unit for the original gunshot victim call at [redacted] They contacted the gunshot victim, [redacted] and initiated a crime broadcast announcing Garcia's description. Approximately fifteen to twenty minutes later, Martinez heard a radio broadcast that assisting units had located Garcia's vehicle and were following it. He and Rubio were still on scene when they heard Garcia had returned to 126th Street, and was carrying [redacted] Garcia had a handgun and was walking toward their location. Martinez ordered the family into the house and instructed them to lock the doors.

As Garcia proceeded north down the driveway toward their direction, Martinez and Rubio took cover near the front of the white stake bed truck in the driveway. Martinez noticed Garcia had [redacted] in his left arm. As Garcia got closer to the house, he and Martinez made eye contact. Garcia immediately began pointing the handgun at the [redacted] and then toward him and his partner. Martinez feared for his and his partner's lives, as well as for the safety of [redacted] and the family inside the house. Garcia attempted to enter the house via the west side door, but the door was locked. Garcia then turned and fired one round toward Martinez and the deputies positioned near the white stake bed truck. The deputies did not return fire. Garcia then moved toward the front door (south side) of the location, while still holding [redacted] and the handgun. As the deputies near the stake bed truck were formulating a plan, Garcia fired another round. Again, deputies did not return fire.

Approximately five to ten minutes later, the Sheriff's helicopter announced Garcia was no longer holding [redacted] As Martinez moved toward the rear of the truck for a better view of Garcia, he heard several rounds being fired north of where he was positioned. Once Garcia went down to the ground, Martinez and other deputies approached and handcuffed Garcia. Martinez saw a dark colored revolver with wooden grips lying on the ground near Garcia. For additional details, refer to **Exhibit A, pages 72-73**. Martinez's Homicide interview was not transcribed, however can be found under Dictaphone job #44110.

OSS Deputy [redacted] was partnered with OSS Sergeant [redacted] He heard the broadcast of the gunshot victim call and immediately responded. He spoke with Witness [redacted] to obtain information about Garcia. Afterwards, he and [redacted] were enroute to Century Station to start their follow up investigation when they heard the broadcast of a unit in pursuit of Garcia. He and [redacted] returned back to the area of the original call. They arrived on 126th Street after Garcia had stopped his vehicle. He and [redacted] were part of a group of deputies who formed up behind a patrol vehicle and followed Garcia east on the street. Garcia was holding [redacted] with one arm, and had a handgun in the opposite hand. As Garcia entered the driveway at [redacted] moved to the fence line of property to the west. He saw other deputies move forward and take positions behind a white stake bed truck in the driveway of [redacted] Garcia was given several commands to surrender. Garcia looked in the direction of deputies to the south (end of the driveway) and to the west. Garcia fired one round toward him and the other deputies at the end of the driveway.

Deputies [redacted] and Salazar moved to the roof of [redacted] of primary location) in an attempt to get a better view of Garcia. Once positioned on the roof, [redacted] could see Garcia was still holding [redacted] and pointing the handgun at deputies. [redacted] provided security for Salazar who was armed with a shotgun and focusing on Garcia. After a short time, [redacted] saw Garcia place [redacted] on the porch. The front door of the residence opened and [redacted] was pulled inside. Seconds later, Garcia pointed the handgun toward deputies and fired another round. Deputies returned fire from their positions on the driveway. Salazar fired two rounds from the shotgun. After the second round was fired, Garcia went down to the ground. An arrest team moved in to handcuff Garcia, as he ([redacted] and Salazar remained on the roof to provide cover. Throughout the incident, [redacted] feared for [redacted] life, his own life, as well as the other deputies' lives. For additional details, refer to **Exhibit A, pages 73-75 and** [redacted] **supplemental report, pages 132-133**. [redacted] wrote an additional supplemental report, accompanied by other supporting documents, regarding his investigation into the initial assault with a deadly weapon case. A list of the criminal charges filed against Garcia was also included in this case; refer to **Exhibit A, pages 195-249**. [redacted] Homicide interview was not transcribed, however can be found under Dictaphone job #44111.

Deputy [redacted] was partnered with Deputy Boling and were involved in the vehicle pursuit. He was also part of a group of deputies who followed Garcia east on 126th Street. Once at [redacted] Deputy [redacted] took cover behind a fence pillar on the west end of the driveway, near the sidewalk. Fearing for [redacted] safety, as well as the safety of himself, and his partners, [redacted] fired two rounds from a stunbag shotgun at Garcia in an attempt to stop him. The rounds did not appear to have struck him, and Garcia continued to walk north toward the house.

At one point, Garcia released [redacted] and [redacted] repositioned himself at the east fence pillar with Deputy De La Torre. [redacted] believed Garcia fired two to three rounds from his handgun. He believed De La Torre fired two rounds from his handgun. [redacted] did not fire his handgun because he did not believe he had an accurate shot at Garcia. For additional details, refer to **Exhibit A, pages 79-81 and** [redacted] **Homicide transcript**. [redacted] wrote a supplemental report, but it only described about him canvassing the area for witnesses. (Refer to **Exhibit A, pages 153-154)**.

On May 6, 2015, Deputy [redacted] was additionally interviewed by this IAB investigator in order to obtain more details about any instructions given to him, and about his use of the stunbag shotgun during the incident. [redacted] confirmed Boling was his [redacted] at the time of the incident. When they heard the vehicle pursuit of Garcia, they joined the pursuit on Willowbrook Avenue, just prior to Garcia's vehicle stopping on 126th Street. [redacted] said they were not in surveillance mode at the time. During his interviews with Homicide and IAB investigators, Boling stated they were in surveillance mode. [redacted] retrieved a stunbag shotgun from one of the patrol cars, but was not certain who instructed him to retrieve it. He was not given any specific instructions, by anyone, as to what to do with or when to fire the stunbag shotgun. He could not recall what personnel were establishing a plan at the scene, but he did recall Sergeant Banks being there. [redacted] recalled himself, along with several other deputies used one patrol vehicle as "rolling" cover, as they followed Garcia east on 126th Street. Once they arrived at [redacted] he took a position at the east fence pillar of the driveway, facing north. Using two crime scene photographs, [redacted] marked his locations during the incident as being at the east pillar. (Refer to **Exhibit B)**.

Deputy [redacted] fired two consecutive stunbag rounds at Garcia, as he was walked north on the driveway. Garcia was facing away from [redacted] still holding [redacted] with one hand and holding the handgun with his other hand. [redacted] could not recall if Garcia made any threatening movements with the handgun at the time he fired the stunbag shotgun. No one instructed [redacted] to fire the stunbag shotgun. [redacted] estimated his distance from Garcia as being approximately twenty feet away, when he fired the stunbag shotgun. His backdrop was the back house/garage area to the far north end of the driveway. Although [redacted] utilized the sights on the stunbag shotgun, the stunbag rounds did not strike Garcia.

Deputy [redacted] mindset when he fired the stunbag shotgun was, Garcia had already shot someone and now he had a [redacted] in his hands. His desired effect was to deter Garcia from walking toward the house and to release [redacted]

Deputy [redacted] took into consideration the stunbag rounds could have struck Garcia, aggravated him, and [redacted] could have been hurt, but he still fired the rounds. [redacted] was not certain if Garcia noticed the deputies taking cover on the west side of a white stake bed truck. He reiterated his thoughts of not wanting Garcia to get to the house and wanting him to release [redacted]

Later in the interview, beginning on page 12, and continuing to the top of page 13 of the transcript, Deputy [redacted] said he did not think firing the stunbag shotgun, would have caused Garcia to harm [redacted] other deputies or himself.

Deputy [redacted] saw Garcia fire one round toward the deputies taking cover on the west side of a stake bed truck. However, no deputies returned fire at that point. Approximately 30 seconds later, he saw Garcia, no longer holding [redacted] turn and fire another round in his direction. [redacted] recalled De La Torre was next to him at the east fence pillar. De La Torre and other deputies returned fire. [redacted] believed Garcia fired three to four rounds during the incident. [redacted] believed Garcia fired all of the rounds from the front porch of the location. [redacted] did not know where Boling was during the incident. [redacted] was not part of the arrest team after the incident, and was not there when the fire department responded to treat Garcia. [redacted] recalled a debriefing being held after the incident, but no one spoke to him about him firing the stunbag shotgun. Based on his experience on the Department, [redacted] believed deputies showed great restraint in not shooting at Garcia with [redacted] in his hands. Deputy [redacted] would not have changed his actions in the incident, and said he would have responded in the same fashion if presented with the same situation. For additional details, refer to [redacted] **IAB interview transcript**.

> **IAB Note**: During the interview, [redacted] stated the proper distance in order for the stunbag shotgun to be effective was 30 feet or less. He stated he had received [redacted] being assigned to Century Station. Refer to his training records in the **Miscellaneous Section**.

Deputy Vince Labinpuno and his partner Deputy Raul Guerrero arrived on 126th Street at the termination of the vehicle pursuit. He and his partner were part of a group of deputies who used a patrol vehicle as cover, while following Garcia to [redacted] Once at the home, they took positions on the west side of a white stake bed truck, which was parked on the driveway. Labinpuno saw Garcia point his handgun in their direction.

Deputy Labinpuno then heard the Sheriff's helicopter announce Garcia was no longer holding [redacted] and [redacted] was inside the home. The helicopter warned them Garcia appeared to be walking in their direction. Labinpuno "hunkered down," and heard a single shot come from where he believed Garcia was standing. He then saw two deputies, wearing green jackets fire rounds in Garcia's direction. Once Garcia went down, Labinpuno was not part of the arrest team. For additional details, refer to **Exhibit A, pages 81-83**. Labinpuno's Homicide interview was not transcribed, however can be found under Dictaphone job #44197.

Deputy Daniel Perez and his partner Deputy [redacted] arrived on 126th Street at the termination of the pursuit. He was part of a group of deputies who used a patrol vehicle as cover, while following Garcia to [redacted] Once at the home, Deputy Perez took a position on the west side of a white stake bed truck, which was parked on the driveway. Perez saw Garcia point his handgun in their direction several times, while still holding [redacted] Garcia then fired two rounds in a southerly direction, toward deputies who were along the sidewalk. No deputies returned fire at that time. Perez saw Garcia put [redacted] down near the front of the door of the residence. Believing Garcia was going to shoot at him, Perez concealed himself behind the truck. He then heard several rounds being fired from the area where he last saw Garcia standing, as well as from north of him, where other deputies were. Perez then saw Garcia on the ground. Perez assisted approaching deputies by covering the home until Garcia was secured. For additional details, refer to **Exhibit A, pages 83-84**. Perez's Homicide interview was not transcribed, however can be found under Dictaphone job #44107.

Deputy Jesus Rubio and his partner Deputy Edward Martinez were the handling unit for the original gunshot victim call at [redacted] Rubio initiated a crime broadcast with Garcia's name and information via Sheriff's radio. As they were still at the scene, Rubio heard assisting units were pursuing Garcia's vehicle. Once the pursuit terminated on 126th Street, it was broadcast Garcia was walking east on 126th and was carrying a [redacted] Rubio ordered family members to go inside of their home. Rubio saw Garcia enter the driveway armed with a handgun in his right hand and carrying [redacted] with his left hand. Rubio and Martinez took cover on the north side of the white truck in the driveway. They eventually worked their way to the west side of the truck, as Garcia walked down the driveway. As Garcia walked north past them, he pointed his handgun in their direction. Rubio heard a gunshot as he ducked down behind the truck, along with five other deputies. The shot sounded like it came from the area where he last saw Garcia. No deputies returned fire at that time. As he moved to the south end of the truck, Rubio heard more shots being fired from the area where he last saw Garcia. Again, no deputies returned fire. Rubio repositioned himself at a pillar at the end of the driveway. Moments later, he heard more shots being fired, and then saw Garcia down on the ground. Rubio approached Garcia, along with several other deputies.

Suspect Garcia was handcuffed and Rubio searched him for other weapons. Rubio saw a handgun on the ground, approximately one foot west of Garcia's feet. For additional details, refer to **Exhibit A, pages 85-86**. Rubio wrote the initial crime report (SH-R-49) on behalf of him and his partner. The crime report addressed the initial assault with a deadly weapon against [redacted] but did not cover the circumstances of the deputy involved shooting. (Refer to **Exhibit A, pages 185-194)**. Deputy Rubio's Homicide interview was not transcribed, however can be found under Dictaphone job #44112.

Deputies Victor Rascon and Manuel Zavala were interviewed by homicide investigators. They were partners on the night of the incident. They were not involved in the vehicle pursuit. Once they arrived on 126th Street, they took a position on the roof of a rear carport of the residence located east of [redacted] Rascon was armed with an AR-15 rifle.

They heard several shots being fired, but did not witness any rounds being fired by Garcia or any deputies. For additional details, refer to **Exhibit A, pages 87-88**. Rascon and Zavala's Homicide interviews were not transcribed, however can be found under Dictaphone jobs #44118 and #44115.

Deputy Jaime Fernandez wrote a crime report (SH-R-49) on behalf of he and his partner Rafael Cardenas. He also wrote a supplemental report, which addressed the vehicle pursuit and deputy involved shooting. (Refer to **Exhibit A, pages 89-109**). Cardenas also wrote an additional supplemental report, which described the vehicle pursuit and Garcia's actions. He did not witness the deputy involved shooting based on his position of cover during the incident. (Refer to **Exhibit A, page 147**).

Deputies Christopher Zimmerman and Bradley Johnsen (now at [redacted]) arrived on 126th Street at the termination of a vehicle pursuit. They were part of group deputies who used a patrol vehicle as cover when they followed Garcia on the street. Zimmerman and Bradley's supplemental reports described Garcia's actions the same as other witness deputies did in their reports. Once at [redacted] Zimmerman took cover behind a wall west of the location. Zimmerman was unable to see who fired weapons and stated he did not fire his handgun. Refer to Deputy Zimmerman's supplemental report, **Exhibit A, pages 130-131**.

> **IAB Note**: Zimmerman typed [redacted] three times on page 1 of his supplemental report; the correct address was actually [redacted] Zimmerman completed a CHP-180 report form for the impound of Garcia's vehicle. (Refer to **Exhibit A, pages 110-115**).

Deputy Johnsen's supplemental report described the incident similar to how Zimmerman did on his supplemental report. However, added that once at the primary location, he took a position on the east side of the driveway, on the sidewalk, and behind a pillar. He heard shots being fired at deputies and then heard deputies returning fire. Based on his position of cover, and considering his partners safety, he was unable to take a clear shot at Garcia. (Refer to his supplemental report, **Exhibit A, page 141**).

> **IAB Note**: Several other deputies wrote supplemental reports in **Exhibit A, pages 134-140, 142-143, 146, 149-154**. They were not direct witnesses to the shooting incident. Their roles were to assist with securing Garcia, conduct evacuations, and/or canvassing the area for witnesses or transportation of witnesses.

Sergeant Sean Banks, **Deputies Rafael Cardenas and Jaime Fernandez** wrote supplemental reports, which described their involvement in the vehicle pursuit with Garcia. Their reports read the same as other deputy personnel in regards to Garcia's actions.

During the incident, Sergeant Banks turned to brief another sergeant who had arrived on scene, when a deputy involved shooting occurred. He did not see which deputies fired their weapons. Due to their positions behind concrete pillars at the end of the driveway, Deputies Cardenas and Fernandez did not witness the shooting. For additional details, refer to supplemental reports prepared by Sergeant Banks, and Deputies Cardenas and Fernandez, **Exhibit A, pages 144-145, 147, and 148**.

Based on Sergeant Banks being the field supervisor on scene during the incident, coupled with him not being interviewed by homicide detectives, he was interviewed by this IAB investigator on May 7, 2015. Sergeant Banks joined other patrol units in surveillance mode as Garcia's vehicle was exiting the east 105 freeway, and continued onto southbound Wilmington Avenue. As Garcia's vehicle stopped on 126th Street, Banks said the situation became dynamic, as it involved a felony traffic stop. Garcia exited his vehicle holding [redacted] and carrying a handgun. Garcia would not follow deputies' instructions to surrender. Banks recalled two patrol vehicles were used as rolling cover in order to follow Garcia east on 126th Street. Banks drove the patrol vehicle closest to the north curbline. He was not sure who was in the vehicle with him, or who was driving the second patrol vehicle, along the south curbline. Once they arrived at [redacted] Banks gave all personnel instructions to take cover and not to fire, even if fired upon, as long as Garcia was holding [redacted]

Sergeant Banks positioned himself near a pillar west of the primary location and closer to the driveway of the home immediately to the west. He briefed assisting units as they arrived on scene. He requested an AR-15 be retrieved from the sergeant's vehicle, however the rifle was not seated properly in the rack and ultimately jammed the locking mechanism. He then authorized Deputy Salazar to deploy a shotgun with slug rounds. He instructed Salazar to attempt to get a position of advantage at the residence west of the primary location. Sergeant Banks said Garcia fired a total of three rounds in a southwesterly direction, but added he did not actually see Garcia fire his handgun.

Once Garcia went down, Sergeant Banks and several deputies approached him. No CPR efforts or first aid was administered to Garcia. The fire department responded within minutes. Overall, and based on his Departmental experience, Banks thought deputy personnel did a great job. Given the situation, he did not feel they could have responded in any other way. He felt the situation turned out the best it could have, given the circumstances. Banks concerns during the incident were for [redacted] safety, the safety of the deputies, and the safety of the public.

Sergeant Banks did not recall instructing anyone to deploy a stunbag shotgun. He was not aware of a deputy firing a stunbag shotgun until after the incident was over. He then discovered that Deputy [redacted] had fired a stunbag shotgun. He held a debriefing after the incident, but did not specifically address [redacted] in regards to him utilizing the stunbag shotgun.

Sergeant Banks did not feel the stunbag shotgun was appropriate for the situation because of the distance between [redacted] and Garcia, and based on the fact Garcia was armed with a handgun. He thought shooting Garcia with a stunbag shotgun could have possibly aggravated the situation. For additional details, refer to **Sergeant Banks' IAB interview transcript**.

<u>Civilian Witnesses</u>

The civilian witnesses identified and listed in the homicide investigation book, were people who lived at [redacted] and were present during the shooting. The witnesses were inside the home during Garcia's interactions with deputies after the pursuit. Below are brief excerpts from the Homicide Bureau witness interviews:

[redacted] saw Garcia holding [redacted] with his left hand and had a handgun in his right hand. [redacted] saw Garcia fire two rounds at deputies. [redacted] tried to convince Garcia to put the handgun down and to release [redacted] [redacted] was the person who grabbed [redacted] from the porch, when Garcia released him and stepped away. [redacted] heard what he believed to be Garcia's handgun being fired a third time, and then heard several more rounds being fired.

After some time, deputies arrived at the house and ordered everyone outside. For additional details refer to **Exhibit A, pages 67- 69 and Mr.** [redacted] **Homicide interview transcript**.

[redacted] Garcia's [redacted] and [redacted] (not [redacted], was inside the home during the shooting. Initially, she was outside talking to deputies about the first incident at her home, which involved her [redacted] Victim [redacted] During the incident, deputies instructed her to go the rear of the home, along with the rest of her family. She eventually grabbed [redacted] from her [redacted] once Garcia released him. She only heard gunfire, but did not see who fired weapons. For additional details, refer to **Exhibit A, pages 77-78 and her Homicide interview transcript**.

After the incident, deputy personnel canvassed the area for other civilian witnesses. There were no witnesses located who actually saw Garcia's actions and/or interactions with deputies on 126th Street. However, there were two supplemental reports written, which referred to surveillance cameras in the area. One was written by Deputy Domenic Castanon, **Exhibit A, page 146**, in which he wrote he observed eight surveillance cameras at [redacted] He contacted [redacted] at that residence but Mr. [redacted] did not know how to review or retrieve video footage. A check of the cameras by assigned OSS detectives, revealed the view toward the primary location was blocked by another home; therefore no video footage of the incident was captured. The second supplemental report was written by Deputy Ruben Jimenez. Jimenez noticed a camera at [redacted] Upon contacting [redacted] at that residence, she advised Deputy Jimenez the camera was a "dummy" camera and did not work. Refer to **Exhibit A, page 151.**

Injuries

Garcia received several gunshot wounds to his chest and arms, which resulted in several fractures throughout his body. He was treated at the scene by paramedics and then by Dr. Tchaka Shepard at Saint Francis Medical Center under Patient # [redacted] Garcia's Blood Alcohol Concentration (BAC) level was determined to be 0.14%. Refer to **Exhibit C** for a copy of Garcia's medical records.

No deputies or civilians were injured during the incident.

Physical Evidence

Several members of the Sheriff's Department Crime Lab responded and assisted homicide detectives with processing and gathering evidence at the crime scene. Refer to **Exhibit A, pages 28-64** for the supplemental reports.

Investigators Observations

IAB investigators were escorted through the scene by homicide detectives. IAB investigators noticed numerous shell casings throughout the scene. Investigators also noticed medical debris on the ground where it was reported Garcia was treated by paramedics.

Weapon used by Deputy De La Torre

Deputy De La Torre fired three rounds of Department approved 9mm ammunition from his Department issued Beretta 92F, 9mm semiautomatic handgun.

Weapon used by Deputy Salazar

Deputy Salazar fired two rounds of Department approved shotgun slug ammunition from a Department issued Remington 870 shotgun.

Weapon used by Deputy Coberg

Deputy Coberg fired eight rounds of Department approved 9mm ammunition from his Department issued Smith & Wesson M&P, 9mm semiautomatic handgun.

Weapon used by Deputy Vavakin

Deputy Vavakin fired twelve rounds of Department approved 9mm ammunition from his Department approved Sig Sauer P226, 9mm semiautomatic handgun.

Weapon used by Suspect Garcia

Garcia's Smith & Wesson .38 caliber revolver, loaded with one live .38 caliber round and four expended shell casings was recovered at the scene.

Property Damage

There were several bullet strikes located in the walls, porch area, front door, and metal screen door of the residence, as well as exterior pillars and the white stake bed truck in the driveway. For more details, refer to **Exhibit A, pages 40-41**.

Criminal Investigators

The homicide investigators assigned to this case were Detective Gary Sica and Sergeant Michael Rodriguez. On April 28, 2015, Garcia was convicted of 16 charges and sentenced to state prison for over 100 years to life. Refer to **Exhibit D** for the Consolidated Criminal History System (CCHRS) print out detailing the convictions.

Lighting and Weather Conditions

The shooting took place during the hours of darkness. Ambient lighting was provided by porch lights at the [redacted] residence, as well as other residences to the west. During the incident, periodic lighting was provided by a Sheriff's helicopter during their orbit. The weather was cool and clear.

IAB investigators conducted a Force Review interview of Deputies De La Torre, Salazar, Coberg, and Vavakin. The following is a summary of the incident as described by them to Homicide and IAB investigators. For more information, see the attached verbatim transcriptions of both the Homicide and IAB interviews.

Deputy Carlos De La Torre

On April 21, 2015, De La Torre was interviewed by IAB investigators. De La Torre was represented by Audra Call from The Law Offices of Green and Shinee. On the night of the incident, De La Torre responded to the original assault with a deadly weapon call on 126th Street.

Approximately fifteen minutes later, while enroute back to the station, he heard radio traffic regarding the vehicle pursuit. He responded back to the area of 126th Street and Willowbrook Avenue. Suspect Garcia's vehicle had stopped on 126th Street and he had retrieved [redacted] out of the vehicle, while displaying a handgun. Deputy Salazar began delegating responsibilities for a contact team and arrest team, with De La Torre being on the arrest team. De La Torre could not recall who else was designated to specific assignments.

Deputy De La Torre described seeing Garcia carrying [redacted] in his left arm and holding a handgun in his right hand, as he paced back and forth near his vehicle. Garcia pointed the handgun to his own head, toward the [redacted] and then toward deputy personnel. Several deputies used a patrol vehicle as cover as Garcia walked east on 126th Street. He could not recall who was driving the patrol vehicle. De La Torre estimated the distance between deputies and Garcia was between 25-30 feet, as they followed him on the street.

Several deputies were giving Suspect Garcia orders to surrender, but he did not comply. As Garcia arrived at the primary location, Deputy De La Torre could hear Garcia yelling for deputies to "Get back" and something to the effect of, "Fuck this!" During the IAB interview, Deputy De La Torre used two crime scene photographs to depict where he positioned himself during the incident, refer to **Exhibit B**. He positioned himself at the east pillar of the driveway, facing north, as Garcia paced the driveway of the location. De La Torre recalled a [redacted] deputy fired a stunbag shotgun from near the east pillar, but did not know his name at the time. He observed a group of deputies taking cover on the west side of a white stake bed truck parked on the driveway. He saw Sergeant Banks west of his location, near the west pillar of the driveway, and heard him instructing deputies to take cover.

As Suspect Garcia arrived at the front porch, and while still holding [redacted] he fired one round to the west, toward deputies at the white truck. Deputy De La Torre did not return fire due to Garcia holding [redacted] Based on Garcia's actions, De La Torre began communicating with Salazar via radio to have someone call the occupants inside [redacted] He then heard Century Station's desk personnel were already in communication with them, and they had been instructed to go to the rear of the home and to stay down. Garcia turned and fired another round south, in De La Torre's direction. A Sheriff's helicopter unit gave Garcia several orders to surrender, using his first name, Felipe. Again Garcia did not comply with the orders. As Garcia was near the front door of the location, he bent down, kissed [redacted] and released him. De La Torre observed the front screen door was opened, and [redacted] was pulled inside the home. The door was then closed.

Immediately following [redacted] being taken into the home, Garcia stood up, and turned in a southerly direction. He walked down off of the porch, raised his handgun and fired toward De La Torre. Fearing for his safety, De La Torre fired three rounds at Garcia; two in rapid succession, then a final round approximately one second later. De La Torre heard several other shots being fired as well. De La Torre temporarily moved from his position of cover, to the left of the fence pillar to fire his handgun. He believed his third round struck Garcia, based on Garcia going to the ground. De La Torre was not part of the arrest team which approached Garcia. He did not see if any first aid was administered to Garcia. De La Torre heard via radio that the fire department was staged and subsequently arrived on scene to treat Garcia within 30 to 35 seconds after he went down.

> **IAB Note**: During the IAB interview, De La Torre described Garcia's first two shots as being toward the deputies to the west, with a third shot fired south toward him. (See page 11 of the IAB transcript).

Deputy De La Torre was able to use the sights on his handgun and used a two hand firing stance when firing. He did not have a light or laser affixed to his handgun. He aimed for the center mass of Garcia's body. His backdrop was the south wall, middle porch area of the residence. Deputy De La Torre described there was lighting being provided by patrol car headlights as they proceeded east on 126th Street. Once at the primary location, the lighting was minimal and at times very dark during the incident. Most of the lighting was supplied by the Sheriff's helicopter, which periodically made things appear as shadows or silhouettes. There were no pedestrians outside or in the area at the time De La Torre fired his handgun. De La Torre fired on his own accord and did not fire because he heard other deputies firing their handguns. De La Torre stopped firing his handgun at Garcia after the third shot because Garcia went to the ground. There did not appear to be any cross fire issues amongst De La Torre or other deputies.

Deputy De La Torre's mindset when he fired his handgun was that Garcia had just fired twice and then actually pointed his handgun at him. De La Torre was afraid for his own safety. During the incident, De La Torre was also concerned for [redacted] safety. Based on his experience on the Department, De La Torre's thoughts after the shooting were that deputy personnel had no other choice in dealing with Garcia. De La Torre estimated the total time from when he arrived on scene, until Garcia went down was approximately 15 to 20 minutes. A summary of De La Torre's Homicide interview is located in **Exhibit A, pages 7-10**.

Deputy Edson Salazar

On April 13, 2015, Deputy Salazar was interviewed by IAB investigators. Salazar was represented by Audra Call from The Law Offices of Green and Shinee. Salazar was partnered with Deputy Salvador Martinez on the evening of the incident. He heard the assault with a deadly weapon call via Sheriff's radio and heard suspect (Garcia) fled the location in a blue Honda. He and Martinez did not respond to the initial call. Salazar recalled there was additional radio traffic regarding Garcia possibly having a [redacted] with him. Approximately thirty minutes later, he heard via radio, assisting units were in pursuit of Garcia's vehicle and the on duty Watch Commander Lieutenant [redacted] had ordered pursuing units into surveillance mode. It was then broadcasted that Garcia was possibly heading back to the original crime scene on 126th Street. Salazar and Martinez were not part of the vehicle pursuit. By the time they arrived and parked on Willowbrook Avenue, north of 126th Street, Garcia had stopped his vehicle on 126th Street. Once on 126th Street, Salazar observed and described Garcia's actions similar to what other personnel who were on 126th Street reported. Martinez remained on Willowbrook Avenue with his patrol vehicle for traffic control. Salazar did not recall a sergeant being on scene at that point.

Deputy Salazar formulated the plan to use a patrol vehicle as rolling cover and assigned assisting deputies the responsibility for the deployment of less lethal options, while he controlled the radio. He did not recall who he assigned to specific force options. Salazar estimated Garcia pointed his handgun at deputies on approximately three occasions, while deputy personnel followed him on 126th Street. Garcia also used [redacted] as a shield. Several deputies gave Garcia orders to "Stop," "Put the [redacted] down," and "Drop the weapon." Garcia did not comply. As Garcia arrived at the original crime scene location, he proceeded north into the driveway. Deputy Salazar observed several deputies on the west side of a white stake bed truck parked on the driveway. It appeared Garcia saw those deputies, as he pointed his handgun toward them. The patrol vehicle they were using as rolling cover was parked parallel to the driveway Garcia had walked down.

Deputy Salazar took cover on the south side of the engine block of the patrol vehicle. At some point while using the patrol car as cover, Sergeant Banks had arrived on scene. He observed several deputies taking cover at two fence pillars at the base of the driveway. Salazar also recalled Sergeant [redacted] being on scene, but could not recall when he arrived. Salazar observed Garcia walk to the west porch of the residence, while still holding [redacted] Garcia pointed a handgun at deputies five to eight times in a period of five minutes and appeared to be talking to someone inside of the residence.

Suspect Garcia then walked slightly southbound in the driveway and fired one round south down the driveway. Deputy Salazar observed muzzle flash from Garcia's handgun and heard a "zinging" sound from the round as it traveled in his direction. No deputies returned fire. Salazar then repositioned himself near the gate of the property to the west. During his movement, he heard the desk was in communication with the residents inside of the primary location. The desk advised a female not to open the residence's door and to retreat to the rear of the residence. At that point, Banks requested Salazar to retrieve an AR-15 rifle. The rifle was stuck in the rack of the Sergeant's patrol vehicle (determined to be Banks vehicle per Banks' IAB interview). Instead, Salazar retrieved a shotgun from a patrol vehicle and loaded it with four rifled slugs. Salazar, Detective [redacted] and Sergeant [redacted] made their way to a property to the [redacted] which was [redacted] He and [redacted] were able to gain access to the roof of that location for a tactical advantage, refer to photographs in **Exhibit B**.

From the roof, Deputy Salazar observed Garcia point his handgun in a westerly direction toward the deputies behind the white stake bed truck. Soon thereafter, Garcia released [redacted] on the front porch and someone from inside the home pulled [redacted] inside. Witness [redacted] told Homicide investigators that he actually retrieved [redacted] from the porch. Salazar then saw the black screen door, as well as the interior wood door close.

Approximately ten to fifteen seconds later, it appeared Suspect Garcia noticed [redacted] was gone, and he appeared to become agitated. He turned back toward the deputies to the west side of the driveway, stepped forward, raised the handgun with his right hand, and fired one round. Salazar heard three to four handgun rounds being fired as he fired the shotgun. He fired the shotgun one time and it appeared to be ineffective. Garcia flinched as if he was struck by handgun round(s). Deputy Salazar assumed if Garcia had been struck by a slug round, he would have been jolted back more than his body displayed. Salazar then fired another slug from the shotgun and Garcia fell to the ground. Salazar fired the shotgun both times on his own accord. His mindset was to protect the deputies near the white truck. Salazar's backdrop during both shots was the furthest southeast portion of the residence. He then stated his backdrop was the ground, being he fired from a high position. He purposely aimed low just in case he missed, and the rounds would strike the ground. Once Garcia went down, Salazar heard someone else put out radio traffic regarding the deputy involved shooting. Salazar had previously heard the fire department had staged nearby. From his position, Salazar did not see any deputy personnel administering any type of first aid to Garcia. The fire department responded within minutes to treat Garcia.

Deputy Salazar described the lighting that evening as being poor except for the Sheriff's helicopter providing light from overhead. Salazar believed Garcia fired two rounds from his handgun, while holding [redacted] in his arms, and one time after [redacted] was released into the residence. Based on his experience on the Department, it did not appear to him deputy personnel had any other options when dealing with Garcia. His initial concern during the incident was [redacted] safety. Once [redacted] was out of the picture, his concern was to subdue Garcia and/or have him surrender. He was concerned for his own safety, as well as his partners. A summary of Salazar's Homicide interview is located in **Exhibit A, pages 10-14**.

Deputy Michael Coberg

On May 7, 2015, Deputy Coberg was interviewed by IAB investigators. Coberg was represented by Audra Call from The Law Offices of Green and Shinee. Coberg was partnered with Deputy Nikolai Vavakin and both were assigned to the South Los Angeles Station (SLA) area. On the evening of the incident, SLA units were patched into the radio traffic for Century Station. Coberg and Vavakin heard the radio traffic regarding the Century units being involved in a vehicle pursuit of an assault with a deadly weapon suspect. The pursuit traveled near Hoover Street and 102nd Street, which was near their location. Coberg heard radio traffic regarding a [redacted] possibly being in the suspect's vehicle. Coberg and Vavakin began driving in the direction of the pursuit. The vehicle pursuit terminated in the area of Willowbrook Avenue and 126th Street. As they arrived on scene, Coberg observed several deputies already following Garcia east on 126th Street, using a patrol vehicle as cover.

As Deputy Coberg caught up to those deputies, Garcia began walking north into the driveway of [redacted] Coberg did not recall seeing any sergeants on scene and was not certain if there was a handling deputy taking charge of the situation. Coberg positioned himself on the west side of a white stake bed truck in the driveway of the location, along with several other deputies. He used the engine block and the truck itself as cover. Deputy Coberg observed Garcia knock on a window on the west side of the residence and then move around to the front porch on the south side. During those movements, Coberg could see Garcia was holding [redacted] in his left arm and a handgun in his right hand. Coberg was concerned for [redacted] safety, as well as his and other deputies' safety. Once Garcia was near the front porch area, he fired one round south toward deputies at the end of the driveway. Due to Garcia holding [redacted] Coberg did not return fire. Garcia continued to pace around the porch area, waving the handgun, and using [redacted] as a shield. A Sheriff's helicopter, as well as several ground deputies, gave Garcia orders to surrender; however he did not comply.

Based on his position by the white stake bed truck, Deputy Coberg felt he was closest to Garcia. Coberg said he and Garcia made eye contact several times. Garcia then fired another round west toward Coberg. Again Coberg did not return fire. Garcia then kneeled down, kissed [redacted] and then released him. Coberg saw the security screen door open and a female quickly grab [redacted] taking him inside the residence. The female then closed the door. Coberg was able to see the activity on the front porch because it was being illuminated by the Sheriff's helicopter. After [redacted] was inside the residence, Garcia stood up, turned toward Coberg and the other deputies at the white truck, and raised the handgun in their direction. Fearing for his life, Deputy Coberg fired his handgun at Garcia. As he fired, Coberg believed that Garcia was struck by one of his rounds. He also believed Garcia fired another round toward him. Coberg heard a bullet "whiz" by his ear, which caused him to temporarily hesitate. Believing Garcia was still a threat, Coberg fired a second volley of rounds at Garcia, which totaled approximately five rounds. Garcia went down to the ground and stopped moving. He maintained his position at the truck as other deputies approached and secured Garcia. Coberg used two crime scene photographs to depict his location, as well as Garcia's position during the shooting, refer to **Exhibit B**.

During the shooting, Deputy Coberg was aware that Vavakin was near him on the west side of the truck. Coberg heard other rounds being fired, presumably by other deputies. Coberg estimated the distance from his location to Garcia was approximately thirty-five feet. Prior to him firing his handgun, Coberg heard radio traffic stating people inside the home were in communication with Century Station's desk and were instructed to stay down. As he fired, Coberg's backdrop was in a northeasterly direction toward the residence, north of the front door. Coberg fired his handgun over the hood of the white truck, using two hands. He targeted the center mass area of Garcia's body.

Deputy Coberg fired on his own accord and believed he was the first deputy to fire his weapon. His mindset was Garcia was trying to kill him and he fired his handgun to stop the threat. Coberg believed Garcia fired a total of three rounds at him and his fellow deputies. Coberg did not recall seeing any deputy personnel administering CPR to Garcia. He was aware the fire department had staged and responded to treat Garcia within one minute. A summary of Coberg's Homicide interview is located in **Exhibit A, pages 14-17**.

Deputy Nikolai Vavakin

On April 13, 2015, Deputy Vavakin was interviewed by this IAB investigator at Compton Station. Vavakin was partnered with Coberg and he was driving their patrol vehicle on the evening of the incident. His statements were essentially the same as Coberg's regarding the initial vehicle pursuit radio traffic, and what was occurring as they arrived on 126th Street, including orders being given to Garcia. Vavakin also described Garcia's actions with [redacted] and the handgun the same as Coberg. Vavakin recalled seeing Sergeant Banks on scene as they arrived. Once Garcia arrived at the primary location, Vavakin initially took cover at the west pillar at the base of the driveway. Once he saw Coberg advancing north on the driveway to the [redacted] at [redacted] he (Vavakin) followed him to the west side of a white stake bed truck. Vavakin used three crime scene photographs to depict his and Coberg's positions during the incident, refer to **Exhibit B**.

As Garcia was near the southwest portion of the residence, he turned and fired one round from his handgun in their direction at the white truck. Approximately one minute later, Garcia fired a second round south, down the driveway. Both times Garcia fired, Deputy Vavakin did not return fire. He was concerned about [redacted] safety, as well as the people inside the residence. As they were still positioned by the white truck, Martinez gave him and Coberg a quick briefing of what had previously occurred at the location and advised them about the people who were inside the residence. Vavakin observed Garcia kneel down on the front porch for a couple of minutes. The security screen door opened, Garcia kissed [redacted] and then [redacted] was pulled inside the residence. Garcia stood up, turned toward Vavakin and other deputies located by the white truck. Garcia then began to raise the handgun in his right hand. As the handgun was raised toward them, Coberg fired his handgun at Garcia. Vavakin moved slightly to the left of Coberg and fired his handgun at Garcia. He heard Garcia's handgun discharge and then he saw Garcia stumble. Vavakin fired a second volley of rounds and Garcia fell to the ground.

Deputy Vavakin was not part of the arrest team that approached and secured Garcia. He did not see any deputy personnel administering first aid to Garcia. The fire department was on scene treating Garcia within two minutes.

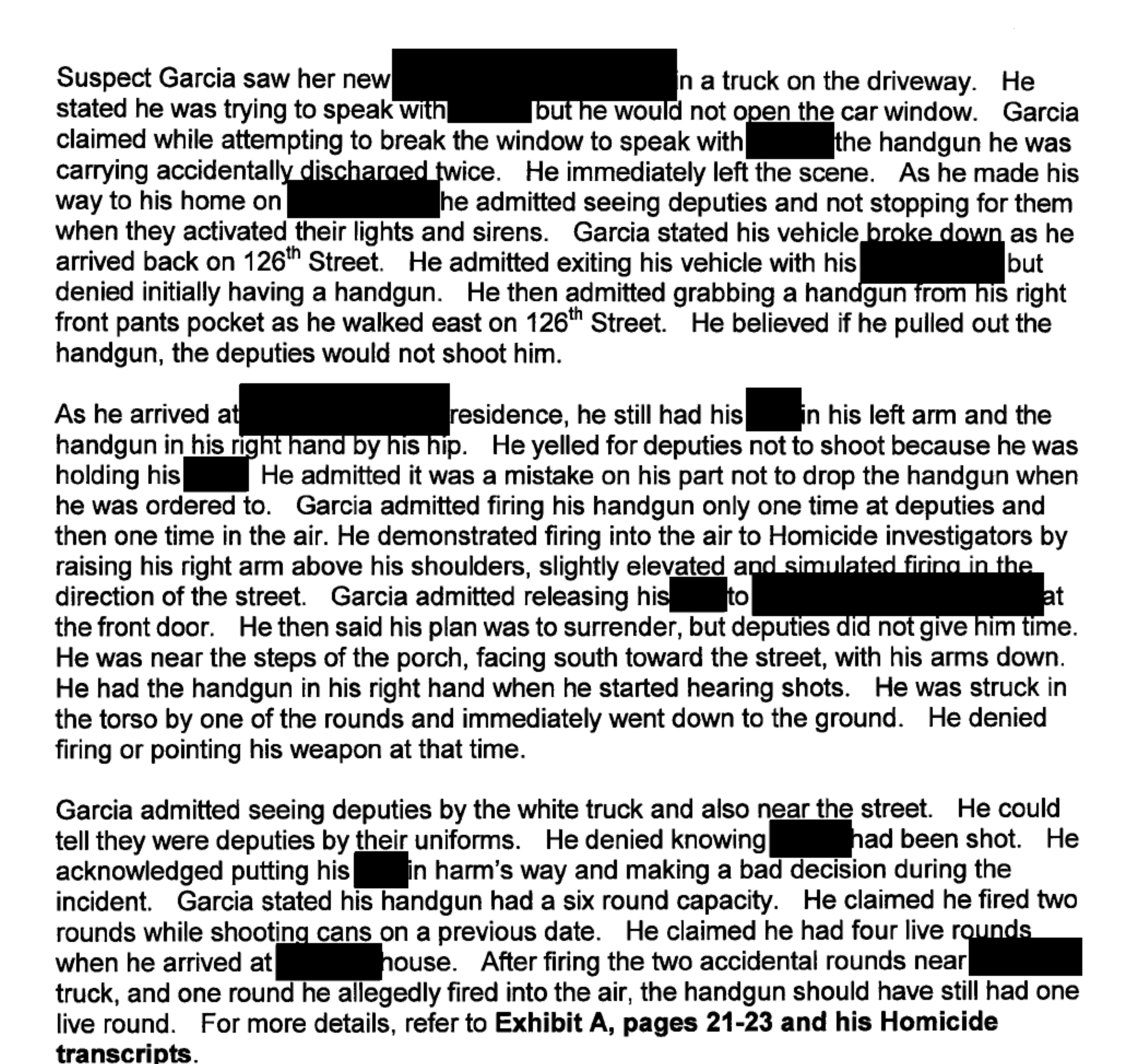
From the time Garcia arrived at the front porch, until [redacted] was taken inside, Vavakin estimated the time as approximately fifteen minutes. Vavakin estimated the distance from his position at the truck to where Garcia was on the porch was approximately thirty to forty feet. Vavakin fired his handgun on his own accord. Vavakin fired two volleys of rounds because Garcia did not appear to be struck by any rounds. He fired to stop the continued threat, posed by Garcia. Vavakin used the engine block of the white truck as cover. He targeted Garcia's upper body/chest area and above. Vavakin held his handgun with both hands and was able to use his sights. Deputy Vavakin explained the front porch was slightly elevated; therefore he fired his handgun in a northeasterly direction, and at an upward angle. He described his backdrop as the upper portion of the residence, near the roof. Vavakin did not recall any spotlights from either the patrol vehicle following Garcia, nor from the Sheriff's helicopter. Vavakin recalled seeing street lighting as they proceeded down 126th Street and a porch light illuminating the front porch.

During the entire incident, Deputy Vavakin's two main concerns were [redacted] safety and the safety of all deputies. Vavakin recalled hearing radio traffic regarding the fire department being staged for response to the incident. He also recalled Sergeant Banks asked him if he had an AR-15 Rifle. Vavakin told him he had not been issued one. Vavakin recalled seeing and hearing a [redacted] fire a stunbag shotgun twice during the incident. The [redacted] fired from near the fence pillars at the base of the driveway. He estimated the distance from the [redacted] location to Garcia as being approximately forty feet. Vavakin did not hear anyone order the [redacted] to fire the stunbag shotgun. Deputy Vavakin was relieved the stunbag rounds did not strike Garcia, as he did not want him to be agitated by the rounds. With Vavakin's combined law enforcement experience with [redacted] and The Los Angeles County Sheriff's Department, he felt the options used when dealing with Garcia were appropriate. A summary of Vavakin's Homicide interview is located in **Exhibit A, pages 17-20**.

> **IAB Note**: All personnel interviewed by IAB recalled the orders being given to Garcia were in English. It appeared there were no orders given in Spanish. However, during Garcia's Homicide interview, Garcia understood and spoke English.

Suspect Statements

Due to his injuries and medication levels, **Felipe Garcia** was contacted by homicide investigators on two separate occasions. He was read his Constitutional Rights per Sheriff's Department Shad-477 form. He stated he understood his rights and agreed to speak with investigators. Garcia admitted going the house on 126th Street to speak with his [redacted]



Suspect Garcia saw her new [redacted] in a truck on the driveway. He stated he was trying to speak with [redacted] but he would not open the car window. Garcia claimed while attempting to break the window to speak with [redacted] the handgun he was carrying accidentally discharged twice. He immediately left the scene. As he made his way to his home on [redacted] he admitted seeing deputies and not stopping for them when they activated their lights and sirens. Garcia stated his vehicle broke down as he arrived back on 126th Street. He admitted exiting his vehicle with his [redacted] but denied initially having a handgun. He then admitted grabbing a handgun from his right front pants pocket as he walked east on 126th Street. He believed if he pulled out the handgun, the deputies would not shoot him.

As he arrived at [redacted] residence, he still had his [redacted] in his left arm and the handgun in his right hand by his hip. He yelled for deputies not to shoot because he was holding his [redacted] He admitted it was a mistake on his part not to drop the handgun when he was ordered to. Garcia admitted firing his handgun only one time at deputies and then one time in the air. He demonstrated firing into the air to Homicide investigators by raising his right arm above his shoulders, slightly elevated and simulated firing in the direction of the street. Garcia admitted releasing his [redacted] to [redacted] at the front door. He then said his plan was to surrender, but deputies did not give him time. He was near the steps of the porch, facing south toward the street, with his arms down. He had the handgun in his right hand when he started hearing shots. He was struck in the torso by one of the rounds and immediately went down to the ground. He denied firing or pointing his weapon at that time.

Garcia admitted seeing deputies by the white truck and also near the street. He could tell they were deputies by their uniforms. He denied knowing [redacted] had been shot. He acknowledged putting his [redacted] in harm's way and making a bad decision during the incident. Garcia stated his handgun had a six round capacity. He claimed he fired two rounds while shooting cans on a previous date. He claimed he had four live rounds when he arrived at [redacted] house. After firing the two accidental rounds near [redacted] truck, and one round he allegedly fired into the air, the handgun should have still had one live round. For more details, refer to **Exhibit A, pages 21-23 and his Homicide transcripts**.

> **IAB Note:** Garcia's Smith & Wesson .38 caliber revolver, loaded with one live .38 caliber round and four expended shell casings was recovered at the scene.